

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 363 - SB 420

February 5, 2019

SUMMARY OF BILL: Requires an employer to grant four hours of leave per year to an employee who is the guardian of a school-age child so that the employee may attend or be involved at the child's school. Requires the employee to be full-time, employed by the employer for 12 consecutive months, and to have come to a mutually-agreed upon time for leave. Authorizes the employer to require a written request 48 hours in advance and verification from the child's school. Prohibits the employer from discharging, demoting, or taking adverse employment actions against an employee who requests or takes leave pursuant to this legislation. Creates a cause of action for employer violations.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Hours taken off by any state or local government employee under the provisions of this bill are considered unworked, but payable hours; under current law the same hours would be considered hours actually worked and payable. Given the hours are payable hours in either case, no change in salary or wage expenditures for state and local government entities.
- The legislation requires eligible employees to make reasonable efforts to schedule the proposed additional leave so to not unduly disrupt the operations of the employer. As a result, the additional leave time will be scheduled and taken such that additional temporary resources will not be required of any state or local government entity.
- There will not be a sufficient number of civil cases for state or local government to experience any significant increase in revenue or expenditures.
- Based on information provided by the Department of Labor and Workforce Development, this legislation will have no impact upon the Department.
- Any other fiscal impact as a result of this legislation will be borne by private employers.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

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Assumption:

- There could be additional business expenditures in some cases if a private employer had to employ temporary staff to complete the work responsibilities of the employee taking additional leave. However, given the employee is required to make reasonable efforts to schedule leave so as to not unduly disrupt operations, any such instances are assumed to be relatively few. As a result, the increase in business expenditures is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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